

## Senate Bill No. 1482

### CHAPTER 1148

An act to amend Sections 7301, 7302, 7304, 7309, 7311, 7312, and 7314 of, and to amend and repeal Section 7303 of, the Business and Professions Code, relating to barbering and cosmetology.

[Approved by Governor September 30, 2002. Filed  
with Secretary of State September 30, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1482, Polanco. Barbering and cosmetology.

The Barbering and Cosmetology Act establishes the Bureau of Barbering and Cosmetology in the Department of Consumer Affairs.

Existing law authorizes the Director of Consumer Affairs to perform specified functions regarding the bureau.

This bill would repeal the Bureau of Barbering and Cosmetology. The bill would establish the State Board of Barbering and Cosmetology in the department consisting of 9 members. The bill would require the board, subject to the approval of the director, to appoint an executive director to perform the duties delegated by the board. The bill would provide that the provisions relating to the board and the executive director become inoperative on July 1, 2007 and are repealed on January 1, 2008. The bill would make conforming changes.

This bill would become operative only if SB 1957 is enacted and becomes effective on or before January 1, 2003.

*The people of the State of California do enact as follows:*

SECTION 1. Section 7301 of the Business and Professions Code is amended to read:

7301. This chapter constitutes the chapter on hair, skin, nail care, and electrolysis and may be known and cited as the Barbering and Cosmetology Act.

SEC. 2. Section 7302 of the Business and Professions Code is amended to read:

7302. The following definitions shall apply for purposes of this chapter:

- (a) "Department" means the Department of Consumer Affairs.
- (b) "Director" means the Director of Consumer Affairs.
- (c) "Board" or "bureau" means the State Board of Barbering and Cosmetology.

(d) “Executive officer means the executive officer of the State Board of Barbering and Cosmetology.

SEC. 3. Section 7303 of the Business and Professions Code is amended to read:

7303. (a) Notwithstanding Article 8 (commencing with Section 9148) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code, there is in the Department of Consumer Affairs the State Board of Barbering and Cosmetology in which the administration of this chapter is vested.

(b) The board shall consist of nine members. Five members shall be public members and four members shall represent the professions. The Governor shall appoint three of the public members and the four professions members. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint one public member. Members of the board shall be appointed for a term of four years, except that of the members appointed by the Governor, two of the public members and two of the professions members shall be appointed for an initial term of two years. No board member may serve longer than two consecutive terms.

(c) The board shall appoint an executive officer who is exempt from civil service. The executive officer shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter. The appointment of the executive officer is subject to the approval of the director. In the event that a newly authorized board replaces an existing or previous bureau, the director may appoint an interim executive officer for the board who shall serve temporarily until the new board appoints a permanent executive officer.

(d) The executive officer shall provide examiners, inspectors, and other personnel necessary to carry out the provisions of this chapter.

(e) This section shall become inoperative on July 1, 2007, and, as of January 1, 2008, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2008, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 4. Section 7304 of the Business and Professions Code is amended to read:

7304. The board shall be subject to review pursuant to Division 1.2 (commencing with Section 473).

SEC. 5. Section 7309 of the Business and Professions Code is amended to read:

7309. The board shall establish a principal office, and may establish branch offices and examination facilities in the state as may be deemed necessary for the bureau to conduct its business.

SEC. 6. Section 7311 of the Business and Professions Code is amended to read:



7311. The board shall adopt and use a common seal for the authentication of the board's records.

SEC. 7. Section 7312 of the Business and Professions Code is amended to read:

7312. The board shall do all of the following:

(a) Make rules and regulations in aid or furtherance of this chapter in accordance with the Administrative Procedure Act.

(b) Conduct and administer examinations of applicants for licensure.

(c) Issue licenses to those applicants that may be entitled thereto.

(d) Discipline persons who have been determined to be in violation of this chapter or the regulations adopted pursuant to this chapter.

(e) Adopt rules governing sanitary conditions and precautions to be employed as are reasonably necessary to protect the public health and safety in establishments, schools approved by the board, and in the practice of any profession provided for in this chapter. The rules shall be adopted in accordance with the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Title 2 of the Government Code, and shall be submitted to the State Department of Health Services and approved by that department prior to filing with the Secretary of State. A written copy of all those rules shall be furnished to each licensee.

SEC. 8. Section 7314 of the Business and Professions Code is amended to read:

7314. The board shall keep a record of its proceedings relating to its public meetings, meetings of committees, and records relating to the issuance, refusal, renewal, suspension and revocation of licenses.

The board shall keep a registration record of each licensee containing the name, address, license number and date issued. This record shall also contain any facts that the applicants may have stated in their application for examination for licensure.

SEC. 9. This act shall become operative only if Senate Bill 1957 of the 2001–02 Regular Session is enacted and becomes effective on or before January 1, 2003.

